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MEMORANDUM

AUGUST 8, 1985

TO: BOSTON REDEVELOPMENT AUTHORITY
AND STEPHEN COYLE, DIRECTOR

FROM: MARIA FARIA, PROJECT COORDINATOR
RALPH F. CAHILL, ASSISTANT GENERAL COUNSEL

SUBJECT: SOUTH END URBAN RENEWAL AREA
CONFIRMATORY ORDER OF TAKING
DISPOSITION PARCEL SE-94

On July 25, 1985, the Authority designated finally Rosie's Place, Inc., as Redevelopers of Disposition Parcel SE-94, containing 32,263 square feet, located at 899-905 Harrison Avenue, for rehabilitation of a 3-story building with a 2-story addition for 20-bed shelter, and meal and activity rooms, landscaping, playground fencing.

It is desired to make an Order of Taking of the above parcel in order to ensure that the Authority holds and can convey good title, unencumbered by any claim, which might otherwise be asserted against the property.

This Order of Taking is requested for title perfection purposes only and does not involve the acquisition of any additional land or the award of any additional damages.

I, therefore, recommend that the Authority adopt the appropriate Order of Taking regarding Parcel SE-94, in the South End Urban Renewal Area.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

RESOLUTION

BE IT RESOLVED by the Boston Redevelopment Authority that an Order of Taking dated **AUG 8 1985** relating to portions of the SOUTH END URBAN RENEWAL AREA, MASS. R-56, be executed together with a Plan entitled, "Boston Redevelopment Authority, South End Urban Renewal Area, Project Mass. R-56, Boston, Suffolk County, Massachusetts, Delivery Parcel Plan, Parcel SE-94," dated November, 1984, and made a permanent part of these proceedings, a copy of which the Secretary shall cause to be recorded in the office of the Registry of Deeds for the County of Suffolk.

A true copy

CERTIFICATE

I hereby certify that the following names constitute the entire membership of the Boston Redevelopment Authority:

Robert L. Farrell
Joseph J. Walsh
James K. Flaherty

William A. McDermott, Jr.
Clarence J. Jones

A true copy

ATTEST:

Kaus Pinonian

Secretary of the Boston Redevelopment Authority

FILED/REGISTRY/DEEDS:

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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, in accordance with G.L. c. 121B and its predecessor statute G.L. c. 121, adopted and filed in the Suffolk County Registry of Deeds, Book 8056, page 295, an ORDER OF TAKING dated June 30, 1966, concerning and describing the SOUTH END URBAN RENEWAL AREA, all of the findings, determinations and descriptions set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Boston Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by G.L. c. 79, §40.

NOW THEREFORE BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of said c. 121B, and all other authority thereunto enabling and pursuant to the applicable provisions of said c. 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A, together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such

fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of said c. 79, as amended, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The awards hereby made are set forth in ANNEX B, which ANNEX B is not to be recorded in the Registry of Deeds with the Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

AUG 8 - 1985

BOSTON REDEVELOPMENT AUTHORITY
By:

By:

By: *Robert J. Hall*
Jeff J. Hall
James L. Hall
William J. Hall

ATTEST:

ATTEST:
Kane Simoni
Secretary of the Boston Redevelopment Authority

Approved as to Form:

Approved as to Form:



Ralph F. Cahill, Assistant General Counsel

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following parcel of land is taken by this Order of Taking:

Boston Redevelopment Authority Disposition Parcel SE-94, containing approximately 32,263 square feet of land, shown on a plan entitled, "Boston Redevelopment Authority, South End Urban Renewal Area, Project Mass. R-56, Boston, Suffolk County, Massachusetts, Delivery Parcel Plan, Parcel SE-94," dated November, 1984, and prepared by C. E. Maguire, Inc., Waltham, Mass., which Plan is recorded herewith. Parcel SE-94 is bounded and described as follows:

Beginning at the point of intersection of the Northwesternly sideline of Harrison Avenue and the Northeasterly sideline of East Lenox Street;

thence running N40°-25'-00"W by said Northeasterly sideline of East Lenox Street one hundred seventy-eight and thirty-eight hundredths (178.38) feet to the point of intersection of said Northeasterly sideline of East Lenox Street and the Southeasterly sideline of Reed Street;

thence turning and running N48°-03'-00"E by said Southeasterly sideline of Reed Street one hundred seventy-eight and thirty-nine hundredths (178.39) feet to a point, said point being the Westerly corner of land now or formerly of the Boston Redevelopment Authority;

thence turning and running S41°-56'-11"E by land now or formerly of said Boston Redevelopment Authority, by land now or formerly of Elliot P. Friedman, Tr., and by land now or formerly of Dorothy H. Trotman, one hundred seventy-eight and sixty-six hundredths (178.66) feet to a point on the Northwesternly sideline of Harrison Avenue, said point being the Southerly corner of land now or formerly of said Dorothy H. Trotman;

thence turning and running S48°-09'-21"W by said Northwesternly sideline of Harrison Avenue one hundred eighty-three and twelve hundredths (183.12) feet to the point of beginning.

Containing an area of thirty-two thousand two hundred sixty-three (32,263) square feet, more or less.

Meaning and intending to convey and hereby conveying all that land shown as Parcel SE-94 on said plan by C. E. Maguire, Inc., containing an area of thirty-two thousand two hundred sixty-three (32,263) square feet, more or less.

Excepting and excluding from said Parcel SE-94 the fee in Reed Street, East Lenox Street and Harrison Avenue, adjacent thereto.

The owner of the parcel of land hereby taken is unknown.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH END URBAN RENEWAL AREA

AWARD OF DAMAGES

No awards are made with this Order of Taking.